

REMARKS

Claims 1-4 have been canceled, and claim 5 has been amended. No new claims have been added by way of this response. No claims have been canceled by way of this response. Thus, claims 5-7 are currently pending and presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Rejections Under Section 103:

Claims 5-7 stand rejected under 35 U.S.C § 103(a) as being obvious over Schoess (USPN 6,076,405). In the outstanding office Action the Examiner states that Schoess does not disclose converting the monitoring signal into a supply signal “in the relatively low spectral range”. The examiner emphasized that it would have been obvious to one of ordinary skill in the art at the time of invention to use a low-pass filter on the measurement signal to generate a supply signal in the lower end of the spectral range to provide a more stable, constant power supply to self-power the electronic circuit. While applicants respectfully disagree with this rejection, claim 5 is amended herein to more clearly distinguish over the prior art.

Claim 5 is now claiming the limitation

an amplifier positioned after the filter for signal separation in the circuit to amplify the evaluation signal so that it is suitable for transmission to an evaluation device located outside of the housing,

and

wherein the supply signal is not amplified by the amplifier.

In contrast, Schoess teaches providing an amplifier (30) directly after the transducer (24) as shown in Fig. 7. So Schoess teaches to use the amplified signal for supplying the Power Control Module and the Signal Conditioning Module, so that also the supply signal is amplified. Schoess does not disclose or suggest not to amplify the supply signal. Furthermore Schoess teaches to us a Lithium Battery as a Power Supply to operate the acoustic rotor monitor.

According to Applicants invention the amplifier is positioned after the filter for signal separation to amplify the evaluation signal and not the supply signal.

The following is a quotation from MPEP 2143 (section V)

If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.

The following is a quotation from MPEP 2143 (section VI)

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.

Even if one of ordinary skill in the art would have added a filter to separate the signals for the Power Control Unit and the Signal Conditioning Module the device as shown in Fig. 7 can not work without having the Lithium Battery as a power supply for the amplifier (30). Without the additional battery Schoess would try to amplify the signal which is used to generate the power to amplify the same signal. Unfortunately perpetual motion machine are not working. Therefore a modification of Applicants invention as disclosed in Schoesser would make the invention inoperable.

Applicants invention discloses a special position of the filter and of the amplifier, wherein these positions are not disclosed or suggested by Schoess. Therefore, Applicants respectfully request that the Examiner withdraw the Section 103 rejections.

Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicants respectfully request that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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